

PRELIMINARY OBSERVATIONS

STATUS OF IMPLEMENTATION – PERU

COMMITTEE ON VICTIM ASSISTANCE (Algeria, Ecuador, Sweden and Thailand) Intersessional Meetings 22-24 June 2021

1. The Committee welcomes the submission by Peru of updated information on its victim assistance activities. Based on the information provided, the Committee presents the following preliminary observations.

Mine casualties

2. The Committee observed that Peru has not reported new casualty in 2020. In total, Peru reported 348 casualties, including 15 females and 333 males, of which 282 persons have survived and 66 persons have been killed. The Committee would welcome further information on number of mine victims with disabilities.

VICTIM ASSISTANCE ACTIONS:

Strengthen partnerships and integrate victim assistance into broader national policies, plans and legal frameworks and designation of a government entity to oversee the integration (Action #33 and also Actions #1 and #6)

3. The Committee observed that Peru reported that the mine action centre (CONTRAMINAS) which is an integral part of the Ministry of Foreign Relations, is the entity responsible for victim assistance coordination. The Committee also took note of the coordination held with the National Council for the Integration of Persons with Disabilities (CONADIS) and the Ministry of Health and Social Security, as well as the efforts of the Ministry of Labour and Employment Promotion in facilitating job search for victims.
4. The Committee encourages Peru to continue providing valuable information on any other efforts undertaken to integrate victim assistance into broader national frameworks.

Develop and implement measurable, realistic and time-bound national action plan (Action #33 and also Action #2)

5. The Committee recalls that in 2020 Peru reported implementing plans such as the Comprehensive Reparation Plan (PIR) and the plan includes victim assistance.
6. The Committee would welcome further information on the integration of the Oslo Action Plan's victim assistance commitments into the PIR or other relevant national frameworks.

Removing barriers including physical, social, cultural, political, attitudinal and communication barriers to access such services (Action #33)

7. The Committee would welcome information on progress made to remove barriers that may limit or prevent access of mine victims to services.

Applying multi-sectoral efforts to ensure that the needs and rights of mine victims are effectively addressed in line with the Convention on the Rights of Persons with Disabilities (Action #34)

8. The Committee observed that Peru reported that Article 27 of the Law 29973, requires the Ministry of Health to ensure persons with disabilities' access to quality rehabilitation and other supports. The Committee further noted the information provided in 2020 on articles 45 and 61 of the same Law on minimum hiring number of people with disabilities and social, health, food, dress and housing benefits, among others..

Establish or strengthen of a centralised database / national information management system (Action #35 and Action #9)

9. The Committee observed that Peru reported recording information on mine victims in a database managed by the CONTRAMINAS in collaboration with CONADIS.
10. The Committee would appreciate information on the disaggregation of data by gender, age and disability, among others.

Access to first aid and ongoing emergency medical care (Action #36)

11. The Committee observed that Peru reported on availability of adequate medical care and emergency response capacity in affected areas including in communities located far from mined areas. Peru reported that mine victims benefit from free healthcare and social security through the Comprehensive Health Insurance and Social Security (Essalud).

Developing national referral mechanism (Action #37)

12. The Committee acknowledges information provided on the referral of victims by CONTRAMINAS in the 2020 report and would welcome information on the existence of or plans to develop a national referral mechanism and national directory of services to facilitate mine victims' access to services in Peru.

Access to rehabilitation services including physiotherapy, assistive devices and occupational therapy (Action #38)

13. The Committee observed that Peru reported that rehabilitation support is provided by the Ministry of Health in accordance with Law 29973. The Committee further recalls that in 2020 Peru reported on efforts made by the National Institute of Rehabilitation (INR), the Daniel Alcides Carrión de Huancayo Hospital, the Ophthalmological Clinic "Divino Niño" among other health care providers.

Access to psychological and psychosocial services including peer-to-peer support (Action #38)

14. The Committee observed that Peru reported that psychosocial support has been made available in accordance with Law 29973.
15. The Committee would welcome further information on progress made in this regard and in relation to availability of peer to peer support.

Access to social and economic inclusion services, including in rural and remote areas (Action #39)

16. The Committee observed that Peru reported on availability of social and economic services in accordance with Law 29973, and recalls that in 2020 Peru also reported on allocation of a quota to increase job opportunities in favour of persons with disabilities, and making steady progress in providing pensions in Cajamarca, Ayacucho, Amazonas, Huancavelica, Tumbes, Apurímac, 3 Loreto and Pasco regions to meet the social and economic needs of persons with disabilities.

17. The Committee would welcome further information disaggregated by gender, age and disability, on the number of mine victims that have benefited from the social and economic services including in rural and remote areas of Peru.

Taking measure for safety and protection of mine survivors in situations of risks and emergencies (Action #40)

18. The Committee would welcome information on any measures in place to ensure the safety and protection of mine survivors in situations of risks and emergencies.

Strengthening inclusion and participation of mine victims and their representative organisations in all matters that affect them (Action #41 and also Action #4)

19. The Committee recalls that in 2020 Peru reported on inclusion of persons with disabilities and mine survivors in activities carried out by CONTRAMINAS in collaboration with CONADIS.

20. The Committee would welcome any possible further information on their inclusion in future activities.

CROSS-CUTTING ACTIONS:

Demonstrate high levels of national ownership, including [...] by making financial and other commitments to implementation (Action #1)

21. The Committee observed that Peru reported that the government allocates around four million soles to fulfil the Anti-Personnel Mine Ban Convention's obligations, although the budget has suffered a decrease of around one million in 2020 and 2021.

22. The Committee would welcome further information on financial commitments made with regards to meeting the needs of mine victims.

Ensure that the different needs and perspectives of women, girls, boys and men are considered (Action #3)

23. The Committee observed that Peru reported that the Law 29973 guarantees the rights of persons with disabilities regardless of gender or age, and services are provided to persons with disabilities including mine survivors accordingly.

24. The Committee would welcome any additional information on how gender and the diverse needs of mine affected communities are considered in the provision of victim assistance.

Challenges in implementation of Victim Assistance Commitments (Action #8)

25. The Committee would welcome information on challenges faced by Peru in meeting the needs and rights of mine victims, and any support it may require, including from the international community, to fulfil its victim assistance commitments under the Convention and the OAP.

26. Finally, the Committee commends Peru for using the new format for reporting on the progress related to the different actions on victim assistance of the OAP.